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Attorneys for Debtor(s)

5 UNITED STATES BANKRUPTCY COURT
6 DISTRICT OF NEVADA
7

8) Chapter 13 Proceedings
9) Case No. 09-19480-LBR
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MAX VILDOSOLA amd HELEN
VILDOSOLA,
Debtor.
Date: February 18, 2010
Time: 2:30 p.m.

**DEBTORS' MOTION FOR COURT'S APPROVAL
ON MODIFICATION OF FIRST DEED OF TRUST**

14 COMES NOW, the Debtors, MAX VILDOSOLA and HELEN VILDOSOLA, by and through
15 their attorneys, AARON & PATERNOSTER, LTD., and respectfully request this Court to
16 allow Debtors to modify the first deed of trust on their real property located at 934 Lloyd
17 George Drive, Henderson, NV 89052. This loan modification agreement (attached hereto as
18 Exhibit A) is at a lower interest rate, and there will be no excess funds to be disbursed. More
19 importantly, there is no cost to Debtors to modify this loan and all past due payments will be
20 included in the new mortgage.

21 This Motion is made and based upon the pleadings and papers on file herein along
22 with the Statement of Facts, the Affidavit of Attorney of Debtor in support of this Motion, and
23 the argument of counsel at time of hearing.

24 DATED this 6th day of January 2010.

25 AARON & PATERNOSTER, LTD.

26
27 BY: /S/ Matthew Aaron
28 MATTHEW E. AARON, ESQ.
Attorney for Debtors

STATEMENT OF FACTS

MAX VILDOSOLA and HELEN VILDOSOLA, Debtors, by and through their attorneys, AARON & PATERNOSTER, LTD., pray the Court grant them permission to modify the first mortgage currently due and payable on the property located at 934 Lloyd George Drive, Henderson, NV 89052. Debtors have the opportunity to obtain a principal balance reduction on the mortgage. The new loan would be at 5.25% interest rate, fixed for 48 months beginning September 1, 2009 with an approximate payment of \$724.08, at which time the interest rate will change to 5.375% for the remaining term of the loan and the payment will be \$735.35. The new loan modification will bring this loan current.

Debtors are requesting the Court's permission to enter into this Loan Modification (attached hereto as Exhibit A) Agreement since this payment is affordable in their budget.

THEREFORE, it is respectfully requested that the Motion for Court's Approval on Modification of First Trust Deed be so ordered.

Respectfully submitted,

AARON & PATERNOSTER, LTD.

By: /s/ Matthew E. Aaron
Matthew E. Aaron, Esq
Attorney for Debtor

**AFFIDAVIT OF ATTORNEY IN SUPPORT OF DEBTOR'S MOTION FOR
COURT APPROVAL OF MODIFICATION OF FIRST DEED OF TRUST**

STATE OF NEVADA)
) ss:
COUNTY OF CLARK)

MATTHEW AARON, ESQ., being duly sworn on oath, depose and say: That I am the attorney for the Debtor in the above-referenced matter, and I make this Affidavit in support of Debtors' Motion for Court's Approval of Modification of First Deed of Trust;

1. That Debtors filed for relief under Chapter 13 of the U.S. Bankruptcy Code on June 4, 2009, under Case No. BK-S 09-19480-LBR.
2. That the new loan would be at a fixed interest rate of approximately 5.25% for 48 months with a payment of \$724.08, then rising to 5.375% with a payment of \$735.35.
4. That there are not going to be any additional funds from this modification.
5. That Debtors will be making these payments outside of the Plan and will also maintain their Chapter 13 Plan payments.


MATTHEW E. AARON

SUBSCRIBED and SWORN to before me

this 6th day of January, 2010.


NOTARY PUBLIC

In and for said County and State



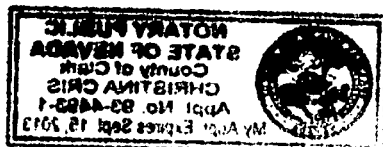
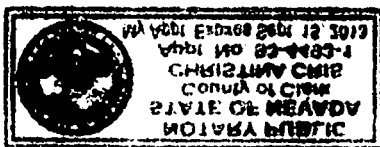


EXHIBIT “A”

**Home Loans**

Attn: Home Retention Division
BAC Home Loans Servicing, LP
100 Beecham Drive Suite 104
Pittsburgh, PA 15205

Notice Date: July 14, 2009

Account No.: 29390662

HELEN R VILDOSOLA
MAX VILDOSOLA
8070 Pavarotti Ave
Las Vegas, NV 89178

Property Address:
934 LLOYD GEORGE DRIVE
HENDERSON, NV 89052

IMPORTANT MESSAGE ABOUT YOUR LOAN

We are pleased to advise you that your loan modification has been approved. In order for the modification to be valid, the enclosed documents need to be signed and returned.

The following amounts will be added to your current principal balance, resulting in a modified principal balance of \$145,143.23 prior to your first payment date. The amount added to your loan is:

| | |
|------------|-------------|
| Interest : | \$6,780.12 |
| Fees: | \$2,517.73 |
| Escrow: | \$5,417.74 |
| Total: | \$14,715.59 |

Your new modified monthly payment will be \$979.86, effective with your September 1, 2009 payment. This payment is subject to change if your escrow account is reanalyzed due to new annual premiums. Your current interest rate is 5.250%. Your new reduced rate of 5.250% will be effective as of the September 1, 2009 payment. As of September 1, 2014 your interest rate will be 5.375% for the remaining term of your loan. Your new maturity date is August 1, 2049, which may have changed from your current maturity date as a result of the modification terms. This agreement will bring the loan current; however, you are still required to pay back the entire unpaid principal by the maturity date for your loan.

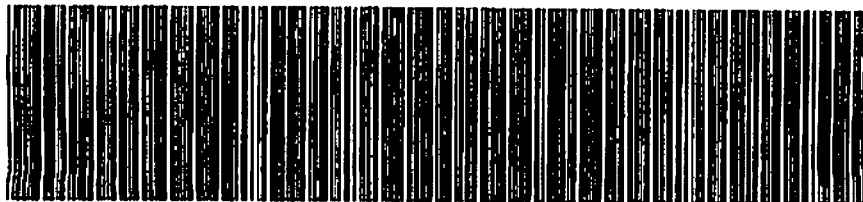
A breakdown of the scheduled interest rate changes is as follows:

| Statement Due Date | Interest Rate | Principal & Interest |
|--------------------|---------------|----------------------|
| September 1, 2009 | 5.250% | \$724.08 |
| September 1, 2014 | 5.375% | \$735.35 |

A breakdown of your payment is as follows:

| | |
|----------------|----------|
| P&I Payment: | \$724.08 |
| Escrow: | \$255.78 |
| Total Payment: | \$979.86 |

BAC Home Loans Servicing, LP is a subsidiary of Bank of America, N.A.



The HOPE Team
CHL Loan #: 29390662

WDGCSCOV LMS 8120 July 14, 2009

CERTIFICATE OF SERVICE

1. On January 6, 2010, I served the following document(s)

NOTICE OF HEARING ON DEBTORS' MOTION FOR COURT'S APPROVAL ON
MODIFICATION OF FIRST DEED OF TRUST; DEBTOR'S MOTION FOR COURT'S
APPROVAL ON MODIFICATION OF FIRST DEED OF TRUST

2. I served the above-named document(s) by the following means to the persons as listed below:

X a. ECF System (You must attach the "Notice of Electronic Filing", or list all persons and addresses and attach additional paper if necessary.)

Trustee Rick Yarnall: ecfmail@LasVegas13.com

X b. United States mail, postage fully prepaid, addressed as follows:
(List persons and addresses. Attach additional paper if necessary.)

Certified Mail:

BAC HOME LOANS SERVICING, LP
Attn Home Retention Division
100 Beecham Drive, Suite 105
Pittsburgh, PA 15205

Regular Mail:

Max & Helen Vildosola
8070 Pavarotti Avenue
Las Vegas, NV 89178

o c. Personal Service (List persons and addresses. Attach additional paper if necessary)

I personally delivered the document(s) to the persons at these addresses:

o For a party represented by an attorney, delivery was made by handing the document(s) to the attorney or by leaving the documents(s) at the attorney's office with a clerk or other person in charge, or if no one is in charge by leaving the documents(s) in a conspicuous place in the office.

o For a party, delivery was made by handing the document(s) to the party or by leaving the document(s) at the person's dwelling house or usual place of abode with someone of suitable age and discretion residing there.

o d. By direct email (as opposed to through the ECF System)
(List persons and email addresses. Attach additional paper if necessary)

Based upon the written agreement of the parties to accept service by email or a court order, I caused the document(s) to be sent to the persons at the email addresses listed below. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

o e. By fax transmission (List persons and fax numbers. Attach additional paper if necessary)

1 Based upon the written agreement of the parties to accept service by fax transmission
2 or a court order, I faxed the document(s) to the persons at the fax numbers listed below. No
error was reported by the fax machine that I used. A copy of the record of the fax
transmission is attached.

3 o f. By messenger (List persons and addresses. Attach additional paper if
4 necessary) I served the document(s) by placing them in an envelope or package addressed to
the persons at the addresses listed below and providing them to a messenger for service. (A
5 declaration by the messenger must be attached to this Certificate of Service,).

6 I declare under penalty of perjury that the foregoing is true and correct.

7 Signed on January 6, 2010

8 
9 Renita Perez